

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TOBY J. MASSE,)
Plaintiff,) NO. CV-08-279-JPH
vs.) ORDER ADOPTING REPORT
MAGGIE MILLER-STOUT, et. al.,) AND RECOMMENDATION
Defendants.)

BEFORE THE COURT is the Report and Recommendation, filed on August 10, 2009 (Ct. Rec. 40), recommending the parties' stipulated motion to dismiss (Ct. Rec. 39) be granted. Objections were due August 26, 2009. No objections have been filed.

Having reviewed the Report and Recommendation and the files and records herein, the Court adopts the magistrate judge's Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED** that the Report and Recommendation (Ct. Rec. 40) to grant the parties' stipulated motion to dismiss (Ct. Rec. 39) is **ADOPTED in its entirety**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and an order of dismissal, forward copies to counsel and to plaintiff, and to **close the file**.

DATED this 2nd day of November, 2009.

s/Lonny R. Suko

LONNY R. SUKO
Chief United States District Judge